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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

v.

DIALLO J. GASTON,

Defendant.

Case No. 3:10-CR-00087-BR

**GOVERNMENT'S MOTION
TO DISMISS**

The United States of America, by S. Amanda Marshall, United States Attorney for the District of Oregon, and through Scott M. Kerin, Assistant United States Attorney, moves this court to dismiss the Indictment in this matter in the interests of justice.

The defendant is currently pending trial here within the District of Oregon on one count of Sex Trafficking of a Child, in violation of Title 18, United States Code, Section 1591(a)(1), 1591(b)(2), 1591(c) and 1594(a). Subsequent to his indictment in federal court and pursuant to a plea agreement, on October 29, 2013, the defendant pled guilty in Multnomah County Circuit Court to one count of Promoting Prostitution, in violation of Oregon Revised Statute Section 167.012. As part of his guilty plea he was sentenced to serve 42 months in state prison (with no

credit for the time he served pending the federal case), to be followed by 18 months of Post-prison supervision.

Pursuant to the global resolution of both matters and the defendant's guilty plea and sentencing in state court for a crime covering the same course of conduct for which he was charged in this Court, we ask the Court to dismiss the pending federal indictment here within the District of Oregon in the Interests of Justice. Defendant's counsel has no objection.

Dated this 4th day of November 2013.

Respectfully submitted,

S. AMANDA MARSHALL
United States Attorney

/s/ *Scott M. Kerin*

SCOTT M. KERIN
Assistant United States Attorney